

Notice of Allowability

Application No.

10/771,986

Examiner

Joshua L. Pritchett

Applicant(s)

HUDYMA, RUSSELL

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed February 2, 2007.
2. ☒ The allowed claim(s) is/are 1,2,4-14,16-30 and 32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

This action is in response to Request for Continued Examination filed February 2, 2007 and Amendment filed December 22, 2006. Claims 13 and 32 have been amended and claim 31 has been cancelled as requested by the applicant.

Response to Arguments

Applicant's arguments, see Amendment, filed December 22, 2006, with respect to claims 13 and 32 have been fully considered and are persuasive. The rejection of claims 13 and 32 has been withdrawn. Applicant amended the claims to overcome the prior art of record.

Allowable Subject Matter

Claims 1, 2, 4-14, 16-30 and 32 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claims 1 and 7, the prior art fails to teach or suggest a catadioptric system comprising a first optical group including an even number of at least six mirrors and a second substantially dioptric optical group more imageward than the first optical group, wherein the first optical group provides compensative axial color correction for the second optical group and a

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virtual image is formed by the first group physically on the object side of the sixth mirror and optically further along the optical beam path after the sixth mirror.

Regarding claim 11, the prior art fails to teach or suggest a catadioptric system comprising a first optical group including an even number of at least six mirrors and a second substantially dioptric optical group more imageward than the first optical group, wherein the first optical group provides compensative axial color correction for the second optical group and an intermediate image is formed between the fourth and fifth mirrors and a virtual image is formed by the first group optically further along the optical beam path after the sixth mirror.

Regarding claim 13, the prior art fails to teach or suggest the third and fourth mirrors being optically after the first and second mirror but physically disposed between the first and second mirrors and a lens arranged immediately adjacent the first optical group. The examiner does not believe it would be obvious to place a lens in the location claimed, because to do so would not have a likely expectation of success.

Regarding claim 32, the prior art fails to teach or suggest the third and fourth mirrors being optically after the first and second mirror but physically disposed between the first and a lens arranged between the first and last mirror of the first optical group. The examiner does not believe it would be obvious to place a lens in the location claimed, because to do so would not have a likely expectation of success.

The remaining claims depend from claims 1, 7 and 11 and are allowable for the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

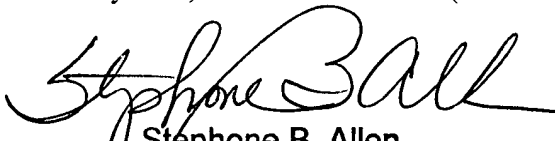
Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua L. Pritchett whose telephone number is 571-272-2318.

The examiner can normally be reached on Monday - Friday 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone Allen can be reached on 571-272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Stephone B. Allen
Supervisory Patent Examiner


Joshua L Pritchett
Examiner
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